

Protect, don't prosecute, pedestrians

By David Goldberg, Published: August 4

People across the country were shocked last week to learn that a Georgia pedestrian who did not even own a car could be convicted of vehicular homicide in the death of her 4-year-old son, who was killed by a hit-and-run driver.

Her crime? After a long bus trip with her three young children in April 2010, Raquel Nelson did what other bus passengers did that day, and had done so many days before: She attempted to cross the road from the bus stop, which is directly opposite her apartment complex, rather than walk a third of a mile to a traffic light, cross five lanes and walk a third of a mile back, lugging tired children and groceries.

The family walked without incident to the three-foot median in the road. As they waited on the median for a break in traffic, Nelson's son A.J. followed other adults who crossed ahead of them. He was hit by a motorist who fled and later admitted to having been drinking and taking painkillers. The driver spent six months in jail and is serving the remainder of his five-year sentence on probation. Nelson was sentenced last week to 12 months' probation, fines and community service. She was given the option of a new trial, which she announced Thursday that she would seek.

The prosecution of this grieving mother was shocking. In truth, though, no one should be surprised that tragedies like this are happening every day across America: Transportation officials and local planners routinely create the very conditions that underlie these "accidents" and allow them to persist.

Nelson was found guilty of killing her son by crossing the road in the "wrong" place. But what about the highway designers, traffic engineers, transit planners and land-use regulators who placed a bus stop across from apartments but made no provision whatsoever for a safe crossing? Those who ignored the fact that pedestrians always take the shortest possible route but somehow expected them to walk six-tenths of a mile out of their way to cross the street? Those who designed this road — which they allowed to be flanked by apartments and houses — for speeds of 50 mph and more? And those who designed the entire landscape to be hostile to people trying to get to work or carrying groceries despite having no access to a car? Are they not culpable?

This phenomenon is not unique to metro Atlanta. Transportation for America researched 10 years' worth of pedestrian fatalities nationwide and found this pattern again and again. The bodies line up like soldiers along certain corridors — the first clue that the roadway is not designed for the safety of the pedestrians who are obviously using the road.

This is a major issue in inner-ring suburbs across the country, places originally built as auto-only suburbia that now are home to many lower-income families who don't have access to cars. Neither the public transportation system nor the highway designs work for those who live, work and walk in these areas. People are being punished and killed simply for being pedestrians. Our research shows that thousands of lives could be saved — and millions more lives improved — by retrofitting these dangerous roads, as many communities are trying to do.

Some in Congress, such as Rep. John Mica (R-Fla.), are attempting to kill the small slice of funding dedicated to projects that make it safer to walk or bicycle. As the vast majority of these dangerous roads were built under federal programs, fixing them to be safer should be a national project. A fund for safety retrofits should be part of the transportation bill under consideration.

Prosecuting people like Raquel Nelson, who truly are the victims of poor planning and bad design, is like closing the barn door and then burning the barn down. One crosswalk with traffic signals would save more lives, and in all likelihood cost less money, than this hurtful prosecution cost the taxpayers of Georgia. Fixing thousands of these deadly mistakes across the country would, in the long run, save both lives and dollars.

The writer is communications director for Transportation for America (T4America.org), a coalition of national, state and local organizations advocating safer roads and travel options.